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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,168	12/31/2003	Yong-Suk Kim	Q77182	6948

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EXAMINER

PAN, YUWEN

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/748,168	Applicant(s) KIM ET AL.	
	Examiner Yuwen Pan	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 5/15/06 have been fully considered but they are not persuasive.

The applicant argues that the teaching of Mitts is not compatible with the teaching Martini, specially, because Martini teaches that the mobile station and the target base station are pre-synchronized, there would be no need or desire to buffer unsent cells, are there would be no unsent cells. The examiner respectfully disagrees. First of all, the examiner isn't quite understanding the rationale that the mobile station and target base station are pre-synchronized, there would be no need or desire to buffer unsent cells. With the best both applicant's invention and prior art of record, the examiner believes that combination of Mitts and Martini is proper because Martini teaches a BLUETOOTH system that the mobile station receives information of potential target base station from the old base station to reduce the time require during handover from the conventional way. However, Martini only teaches the process of handoff and is silent about how the base stations response, for instance, what is the old base station is going to do with the remain buffed data information. Mitts teaches that the unsent buffed information from the old base station is forwarded to the new base station after the new base station has completed the establishment with the mobile station. This process is independent from the process of actual handoff. Thus, whether the mobile station and the target base station are pre-synchronized or not, there would be always some buffer unsent cells/information.

The applicant further argues that prior art of record doesn't teach a message indicating setup completion of a connection with the mobile device transmitted from the new base station

after a handoff occurs. The examiner respectfully disagrees because such indication is inherent for a handoff process.

Therefore, the previous rejection stands.

DETAILED ACTION

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martini et al (US006675015B1) in view of Mitts et al (US005940371A).

Per claim 1, Martini discloses a short range wireless communication system, comprising: a host controller interface provided with a handoff buffer for buffering at least one of host controller interface data and transmission data, and for exchange said at least one of HCI data and transmission data with an external device, and forward information among nearby access points (see figure 1 and column 5 and lines 55-63). Martini doesn't teach that a microcontroller for forwarding to a new access point said at least one of HCI data and transmission data buffed in the handoff buffer if a message indicating setup completion of a connection with the external device is transmitted from the new AP after a handoff occurs an the external device moves, in a state where the new AP is interlinked with the external device. Mitts teaches that the unsent buffed information from the old base station is forwarded to the new base station after the new

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base station has completed the establishment with the external station or handover (see column 5 and lines 30-53). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Mitts with Martini's system such that there would be redundancy of transmission.

Same arguments apply, *mutatis mutandis*, to the independent claims 5, 9, and 13.

Pre claims 2, Mitts further teaches that the microcontroller deletes said at least one of HCI data and transmission data buffered in the handoff buffer if an acknowledge message for said at least one of the HCI data and the transmission data transmitted from the external device, is received (see column 8 and lines 3-25).

Same arguments apply, *mutatis mutandis*, to claims 6, 10 and 14.

Per claim 3, Mitts further teaches that the microcontroller maintains said at least one of HCI data and transmission data buffered in the handoff buffer if an acknowledge message for said at least one of the HCI data and the transmission data transmitted from the external device, is not received (see column 7 and lines 46-67).

Same arguments apply, *mutatis mutandis*, to claims 7, 11 and 15.

Per claim 4, Mitts further teaches that if the microcontroller newly linked with a another external device receives said at least one of HCI data and the transmission data from a different AP, the microcontroller transmits said at least one of HCI data and the transmission data to the another external device immediately.

Same arguments apply, mutatis mutandis, to claims 8, 12 and 16.

Conclusion


4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 571-272-7855. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anderson D. Matthew can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Yuwen Pan
June 28, 2006


Matthew D. Anderson
Supervisory Patent Examiner